

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

STATE FARM MUTUAL
AUTOMOBILE INSURANCE
COMPANY,

Plaintiff,

vs.

TRIPLE L, INC.; PENSKE TRUCK
LEASING CO., and DOES 1-10,

Defendants.

CV 20-15-BU-BMM

ORDER

Plaintiff State Farm Mutual Automobile Insurance (“State Farm”) filed this declaratory judgment action on April 14, 2020. Doc. 1. The Court set a hearing for February 17, 2020, to resolve the parties’ cross-motions for summary judgment. Doc. 46. John Oeleis filed a motion on January 20, 2020, requesting to intervene under state law, Fed. R. Civ. P. 24(a)(2), and Fed. R. Civ. P. 24(b)(1)(B). Doc. 50. Defendants do not oppose the motion. State Farm filed a brief in opposition to intervention. Doc. 53.

This case is a declaratory judgment action relating to the question of coverage under an insurance policy issued by State Farm. The Court anticipates this matter will be disposed of with resolution of the cross-motions for summary judgment. The Court will allow Oeleis to intervene under Fed. R. Civ. P. 24(b) and participate in

the cross-motions for summary judgment. The Court declines to postpone the February 17 hearing.

IT IS HEREBY ORDERED:

1. John Oeleis's Motion to Intervene (Doc. 50) is **GRANTED**.
2. John Oeleis shall file on or before February 14, 2021, a supplemental brief in regard to the question of coverage under the insurance policy issued by State Farm.
3. John Oeleis may file on or before February 14, 2021, a response brief to Plaintiff's Motion for Summary Judgment (Doc. 33).
4. John Oeleis may file on or before February 14, 2021, a response brief to Defendant Triple L's Motion for Summary Judgment (Doc. 37).
5. Per local rules, reply briefs remain optional. Given the circumstances of this motion, if parties wish to file reply briefs, the parties may file reply briefs on or before February 24, 2021. The Court will consider them before issuing a final written order.

Dated the 4th day of February, 2021.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court